

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA

AUGUSTA DIVISION

DANNY BENNETT,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CV 124-020
	)	
WARDEN PERRY; DEPUTY WARDEN	)	
HARMON; UNIT MANAGER TINA	)	
POWELL; CO 2 JERRMEY BRUNENTT;	)	
MISS KAIT THROUMAN; and	)	
ALL MEBERS OF THE GEORGIA	)	
DEPARTMENT OF CORRECTIONS,	)	
	)	
Defendants.	)	

**ORDER**

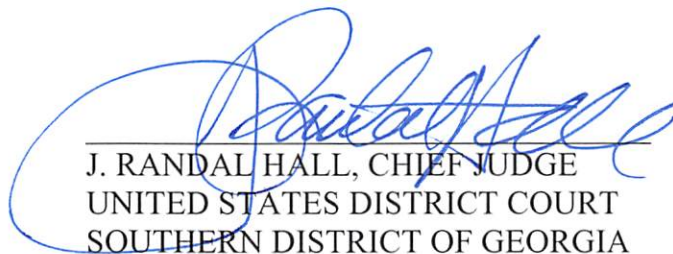
After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge’s Report and Recommendation, to which objections have been filed. (Doc. no. 8.) The Magistrate Judge recommended dismissing the case without prejudice because Plaintiff failed to pay the full filing fee or file a motion to proceed *in forma pauperis* (“IFP”). (See doc. no. 6.) When given the opportunity to correct the deficiency, Plaintiff failed to respond. (See doc. no. 4; see also doc. no. 4-1 (providing blank IFP form to Plaintiff).)

In his objections, Plaintiff states that he “tried” to send in an IFP motion, but he does not explain what prevented him from doing so. (Doc. no. 8, p. 1.) Although Plaintiff claims he is not receiving his mail, his objections to the recommendation for dismissal show that he is, in fact, receiving mail from the Court, and is able to respond in a timely fashion. Nor do

Plaintiff's general allegations of mistreatment by prison staff explain his inability to return the IFP form provided to him, particularly when the submission of his objections shows that staff is not preventing him from communicating with the Court.

Accordingly, the Court **OVERRULES** the objections, **ADOPTS** the Report and Recommendation of the Magistrate Judge as its opinion, **DISMISSES** this case without prejudice, and **CLOSES** this civil action.

SO ORDERED this 17<sup>th</sup> day of April, 2024, at Augusta, Georgia.



J. RANDAL HALL, CHIEF JUDGE  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA